

FORM PTO 1390  
(REV 5-93)

US DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NUMBER  
2001-1831ATRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. §371U.S. APPLICATION NO.  
(if known, see 37 CFR 1.5)  
10/009,798International Application No.  
PCT/JP01/03185International Filing Date  
April 13, 2001Priority Date Claimed  
April 14, 2000Title of Invention  
OPTICAL DISK DRIVE

## Applicant(s) For DO/EO/US

Kunimasa KUSUMOTO and Mitsuteru FUJIMOTO

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1.  This is a FIRST submission of items concerning a filing under 35 U.S.C. §371.
2.  This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. §371.
3.  This express request to begin national examination procedures (35 U.S.C. §371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. §371(b) and PCT Articles 22 and 39(1).
4.  A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5.  A copy of the International Application as filed (35 U.S.C. §371(c)(2))
  - a.  is transmitted herewith (required only if not transmitted by the International Bureau).
  - b.  has been transmitted by the International Bureau.
  - c.  is not required, as the application was filed in the United States Receiving Office (RO/US)
6.  A translation of the International Application into English (35 U.S.C. §371(c)(2)).
7.  Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. §371(c)(3)).
  - a.  are transmitted herewith (required only if not transmitted by the International Bureau).
  - b.  have been transmitted by the International Bureau.
  - c.  have not been made; however, the time limit for making such amendments has NOT expired.
  - d.  have not been made and will not be made.
8.  A translation of the amendments to the claims under PCT Article 19.
9.  An (executed) oath or declaration of the inventor(s) (35 U.S.C. §371(c)(4)). ATTACHMENT A
10.  A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. §371(c)(5)).

## Items 11. to 14. below concern other document(s) or information included:

11.  An Information Disclosure Statement under 37 CFR 1.97 and 1.98. ATTACHMENT B
12.  An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.

## ATTACHMENT C

13.  A FIRST preliminary amendment.
  - A SECOND or SUBSEQUENT preliminary amendment.
14.  Other items or information: Copy of Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) - ATTACHMENT D

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)  
10/009,798

INTERNATIONAL APPLICATION NO.  
PCT/JP01/03185

ATTORNEY'S DOCKET NO.  
2001-1831A

15. [X] The following fees are submitted

**BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):**

Neither international preliminary examination fee nor international search fee paid to USPTO  
and International Search Report not prepared by the EPO or JPO ..... \$1040.00  
International Search Report has been prepared by the EPO or JPO ..... \$ 890.00  
International preliminary examination fee not paid to USPTO but international search  
paid to USPTO ..... \$ 740.00  
International preliminary examination fee paid to USPTO but claims did not satisfy provisions  
of PCT Article 33(1)-(4) ..... \$ 690.00  
International preliminary examination fee paid to USPTO and all claims satisfied provisions of  
PCT Article 33(1)-(4) ..... \$ 100.00

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

Surcharge of \$130.00 for furnishing the oath or declaration later than [X] 20 [] 30 months from the earliest  
claimed priority date (37 CFR 1.492(e)).

\$130.00

Claims	Number Filed	Number Extra	Rate	
Total Claims	-20 =		X \$18.00	\$
Independent Claims	- 3 =		X \$84.00	\$
Multiple dependent claim(s) (if applicable)			+ \$280.00	\$
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$130.00
[ ] Small Entity Status is hereby asserted. Above fees are reduced by 1/2.				\$
<b>SUBTOTAL =</b>				\$130.00
Processing fee of \$130.00 for furnishing the English translation later than [ ] 20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$
<b>TOTAL NATIONAL FEE =</b>				\$130.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +				\$40.00
<b>TOTAL FEES ENCLOSED =</b>				\$170.00
				Amount to be refunded \$
				Amount to be charged \$

a. [X] A check in the amount of \$170.00 to cover the above fees is enclosed. A duplicate copy of this form is enclosed.

b. [ ] Please charge my Deposit Account No. 23-0975 in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.

c. [X] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
overpayment to Deposit Account No. 23-0975.

THE COMMISSIONER IS AUTHORIZED  
TO CHARGE ANY DEFICIENCY IN THE  
FEES FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 23-0975

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b))  
must be filed and granted to restore the application to pending status.

19. CORRESPONDENCE ADDRESS



000513

PATENT TRADEMARK OFFICE

03/27/2002 MNGUYEN 00000073 10009798

By:

Nils E. Pedersen,  
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March 22, 2002

[CHECK NO.]

49439

[2001\_1831A]



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box 9-11  
 United States Patent and Trademark Office  
 Washington, D.C. 20591  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY DOCKET NO
10/009,798	Kunimasa Kusumoto	2001_1831A
INTERNATIONAL APPLICATION NO.		PCT/JP01/03185
IA. FILING DATE		PRIORITY DATE
04/13/2001		04/14/2000
<b>CONFIRMATION NO. 1108</b> <b>371 FORMALITIES LETTER</b>  *OC000000007547856*		

Date Mailed: 03/04/2002

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- U.S. Basic National Fees
- Priority Document
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Request for Immediate Examination

**RECEIVED**  
MAR 11 2002

WENDEROTH, LIND &amp; PONACK

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 20 months months from the priority date (37 CFR 1.492(e)) is required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

## SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice MUST be returned with the response.*

FREDERICK SMITH

Telephone: (703) 305-3654

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO
10/009,798	PCT/JP01/03185	2001_1831A

FORM PCT/DO/EO/905 (371 Formalities Notice)